

AGENDA  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**  
**1:30 P.M.**  
**Room EW40**  
**Wednesday, January 08, 2014**

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Organizational Meeting

COMMITTEE MEMBERS

Chairman Palmer	Rep Denney
Vice Chairman Shepherd	Rep Gestrin
Rep Wood(35)	Rep Gibbs
Rep Wills	Rep Hixon
Rep Bateman	Rep Kauffman
Rep Henderson	Rep Packer

Rep Youngblood  
Rep Be Determined  
Rep Ringo  
Rep King  
Rep Gannon

COMMITTEE SECRETARY

Linda Mott  
Room: EW60  
Phone: 332-1146  
email: [htran@house.idaho.gov](mailto:htran@house.idaho.gov)

MINUTES  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**

**DATE:** Wednesday, January 08, 2014

**TIME:** 1:30 P.M.

**PLACE:** Room EW40

**MEMBERS:** Chairman Palmer, Vice Chairman Shepherd, Representatives Wood(35) Wills, Bateman, Henderson (Chambers), Denney, Gestrin, Gibbs, Hixon, Kauffman, Packer, Youngblood, Ringo, King, Gannon

**ABSENT/  
EXCUSED:** Rep. King and Rep. Wood(35)

**GUESTS:** Ken Burgess, Veritas Advisors and Julie Hart, Westerberg Assoc.

**Chairman Palmer** called the meeting to order at 1:36 p.m.

**Chairman Palmer** welcomed the committee members to the Transportation and Defense Committee and introduced **Jake Wright** as the committee page and **Linda Mott** as the new committee secretary.

**Vice Chair Shepherd** announced the Rules Subcommittee members: **Rep. Wood (35) Chair, Rep. Gestrin, Rep. Gibbs, Rep. Packer, and Rep. Ringo.**

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 1:43 p.m.

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Representative Palmer  
Chair

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Linda Mott  
Secretary

AGENDA  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**  
**1:30 P.M.**  
**Room EW40**  
**Tuesday, January 14, 2014**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	Overview & Status of Bridges	Wayne Hammon, Associated General Contractors
<a href="#"><u>RS22364</u></a>	Motor fuels tax law	Michael Chakarun, State Tax Commission
<a href="#"><u>RS22361</u></a>	Emergency Communicates	Col. Brad Richy, Military Division
<a href="#"><u>RS22363</u></a>	National Guard, active duty pay	Gen. Richard Turner, Military Division
<a href="#"><u>RS22365</u></a>	Military division/National Guard	Gen. Richard Turner, Military Division

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Palmer	Rep Denney	Rep Youngblood
Vice Chairman Shepherd	Rep Gestrin	Rep Be Determined
Rep Wood(35)	Rep Gibbs	Rep Ringo
Rep Wills	Rep Hixon	Rep King
Rep Bateman	Rep Kauffman	Rep Gannon
Rep Henderson(Chambers)	Rep Packer	

COMMITTEE SECRETARY

Linda Mott  
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MINUTES  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**

**DATE:** Tuesday, January 14, 2014

**TIME:** 1:30 P.M.

**PLACE:** Room EW40

**MEMBERS:** Chairman Palmer, Vice Chairman Shepherd, Representatives Wood(35), Wills, Bateman, Henderson (Chambers), Denney, Gestrin, Gibbs, Hixon, Kauffman, Packer, Youngblood, Be Determined, Ringo, King, Gannon

**ABSENT/  
EXCUSED:** Rep. Wills

**GUESTS:** John Stone, Horrocks Engineers; Bryan Foote, Horrocks Engineers; Kristyn Kirschenman, Risch-Pisca, LLC; Ed Pemble, ITD; Michael Chakarun, ISTC; Cynthia Gibson, Idaho Pedestrian & Bicycle Alliance; Valerie Connor, Idaho Pedestrian & Bicycle Alliance; Dennis Stevenson, Rules Coordinator; Rich Kinder, HDR Engineering; Rob Peday, ID Bur. Home. Sec.; Kristen Atwood, AAA/ISA; Jonathan Parker, Holland & Hart; Jim Kempton, ITD Board; Reymundo Rodriguez, ITD; Parker Papworth, Lobby Idaho, LLC; Richard Turner, Military Division; Regina Phipps, ITD; Christine Fisher, ITD; Cathy Ford, ITD

**Chairman Palmer** called the meeting to order at 1:32 P.M.

**MOTION:** **Rep. Ringo** made a motion to approve the minutes of the January 8, 2014 meeting. **Motion carried by voice vote.**

Presentation by **Wayne Hammon** of the Idaho Associated General Contractors; "Bridges in Idaho." Mr. Hammon reviewed how bridges help keep people and towns connected and commerce alive. He highlighted that maintaining Idaho bridges is important to all communities. Bridges are the critical connection points with Idaho's statewide system of roads. If bridges are healthy, our road system is healthy. He acknowledged Idaho Transportation Department for being strategic and smart with its spending and urges the continued support in bridge maintenance and replacement.

**RS 22364:** **Michael Chakarun** of Idaho State Tax Commission, provided a summary of the **RS 22364** - Motor Fuels Tax Law. This RS will make technical changes.

**MOTION:** **Rep. Hixon** made a motion to introduce **RS 22364**. **Motion carried by voice vote.**  
**Chairman Palmer** introduced **Col. Richy** and announced that Col. Richy has been promoted to **General Richy**.

**RS 22361:** **Gen. Richy** of the Military Division provided a summary of the purposed changes which will authorize the adjutant general to select the board members for the various agencies within the Idaho Military Division.

**MOTION:** **Rep. Hixon** made a motion to introduce **RS 22361**. **Motion carried by voice vote.**

**RS 22363:** **Gen. Turner** of the Military Division provided a summary. This RS updates the National Guard pay structure while on State Active Duty from a per diem pay to a pay structure that mirrors enlisted personnel and officers.

**MOTION:** **Rep. Kauffman** made a motion to introduce **RS 22363**. **Motion carried by voice vote.**

**RS 22365:** **Gen. Turner** of the Military Division provided a summary of **RS 22365**. This RS provides for the Idaho National Guard Counter (IDNG) Drug Program when assisting federal law enforcement agency with drug enforcement and/or interdiction, the IDNG is considered to be a law enforcement agency.

**MOTION:** **Rep. Wood(35)** made a motion to introduce **RS 22365**. **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the committee; the meeting was adjourned at 1:58 p.m.

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Representative Palmer  
Chair

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Linda Mott  
Secretary

AGENDA  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**  
**WOOD(35) SUBCOMMITTEE**  
Upon Adjournment of the Full Committee  
Room EW40  
Tuesday, January 14, 2014

DOCKET NO.	DESCRIPTION	PRESENTER
<a href="#"><u>39-0322-1301</u></a>	Rules Governing Overlegal Permits for Extra-Length Vehicle Combinations	Regina Phipps, ITD
<a href="#"><u>39-0322-1302</u></a>	Rules Governing Overlegal Permits for Extra-Length Vehicle Combinations	Regina Phipps
<a href="#"><u>39-0323-1301</u></a>	Rules Governing Revocation of Overlegal Permits	Regina Phipps
<a href="#"><u>39-0315-1301</u></a>	Rules Governing Interstate Excess Weight Permits	Regina Phipps
<a href="#"><u>39-0312-1301</u></a>	Rules Governing Safety Requirements of Overlegal Permits	Regina Phipps
<a href="#"><u>39-0260-1301</u></a>	Rules Governing License Plate Provisions	Chris Fisher, ITD
<a href="#"><u>39-0271-1301</u></a>	Rules Governing Driver's License Violation Point System	Amy Kearns, ITD
<a href="#"><u>39-0350-1301</u></a>	Rules Governing Safety Rest Areas	Cathy Ford, ITD

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Wood(35)

Rep.Gestrin

Rep.Gibbs

Rep.Packer

Rep.Ringo

COMMITTEE SECRETARY

Linda Mott

Room: EW60

Phone: 332-1146

email: htran@house.idaho.gov

MINUTES  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**  
**WOOD(35) SUBCOMMITTEE**  
RULES

**DATE:** Tuesday, January 14, 2014

**TIME:** Upon Adjournment of the Full Committee

**PLACE:** Room EW40

**MEMBERS:** Chairman Wood(35), Representatives Shepherd, Gestrin, Gibbs, Packer, Ringo

**ABSENT/  
EXCUSED:** None.

**GUESTS:** John Stone, Horrocks Engineers; Bryan Foote, Horrocks Engineers; Kristyn Kirschenman, Risch-Pisca, LLC; Ed Pemble, ITD; Michael Chakarun, ISTC; Cynthia Gibson, Idaho Pedestrian & Bicycle Alliance; Valerie Connor, Idaho Pedestrian & Bicycle Alliance; Dennis Stevenson, Rules Coordinator; Rich Kinder, HDR Engineering; Rob Peday, ID Bur. Home. Sec.; Kristen Atwood, AAA/ISA; Johnathan Parker, Holland & Hart; Jim Kempton, ITD Board; Reymundo Rodriguez, ITD; Parker Papworth, Lobby Idaho, LLC; Richard Turner, Military Division; Regina Phipps, ITD; Christine Fisher, ITD; Cathy Ford, ITD

**Chairman Wood(35)** called the meeting to order at 2:04 p.m.

**DOCKET NO. 39-0312-1301:** **Regina Phipps** of ITD, summarized the rule changes that were at the request of the industry. 1) Allows for flashing as well as non-flashing lights for the movement of oversize loads after dark. 2) Changes to the minimum dimensions allowed for oversize load signs for towing units and loads to the same size as pilot cars. 3) Clarifies the size and/or length of vehicle combinations allowed to travel in a convoy.

**MOTION:** **Rep. Gestrin** made a motion to recommend approval of **Docket No. 39-0312-1301** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 39-0315-1301:** **Regina Phipps** of ITD, said this rule requires excess weight permits for travel on non-interstate highways. It will also clarify excess weight permit requirements that apply to reducible loads and clarify the permit types required for travel on each highway.

**MOTION:** **Rep. Gibbs** made a motion to recommend approval of **Docket No. 39-0315-1301** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 39-0322-1301:** **Regina Phipps** of ITD, said the changes clarify the vehicle combinations that are governed under this rule, and clarifies that non-interstate routes only will allow weights above 105,500 lbs. up to 129,000 lbs. This rule specifies the operating requirements on designated routes authorized up to 129,000 lbs. and modifies the order of the information in the rule for better flow and understanding of requirements.

**MOTION:** **Rep. Gestrin** made a motion to recommend approval of **Docket No. 39-0322-1301** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 39-0322-1302:** **Regina Phipps** of ITD, said this rule implements the provisions of **S 1117** and provides for a clearer administrative process for overlegal permits. The rule also re-orders information in the rule for improved flow and understanding requirements.

**MOTION:** **Rep. Packer** made a motion to recommend approval of **Docket No. 39-0322-1302** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 39-0323-1301:** **Regina Phipps** of ITD, said this rule specifies permit violations that will result in revocation of an overlegal permit and the revocation process when convicted.

**MOTION:** **Rep. Gibbs** made a motion to recommend approval of **Docket No. 39-0323-1301** to the full committee. **Motion carried by voice vote.**

**Chairman Wood(35)** announced that three members of the Idaho Transportation Board were in the audience: **Jim Kempton, Jerry Whitehead, and Julie Delorenzo**

**DOCKET NO. 39-0260-1301:** **Christine Fisher** of Division of Motor Vehicles, explained that the proposed changes to the rule were due to **S 1243** from 2012 and **H 169** from the 2013 session which was to implement a set of requirements for initiating new Special License Plate programs, to place parameters around the pre-qualification and application for Special License plate programs, and to rein in the proliferation of those programs.

**MOTION:** **Rep. Ringo** made a motion to recommend approval of **Docket No. 39-0260-1301** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 39-0271-1301:** **Edward Pemble** of Driver Services Manager explained that the proposed changes are due to **H 274** passed in 2013 which established a new program for Traffic Safety Education for use in local jurisdictions to be offered for a fee in lieu of issuing a citation.

**MOTION:** **Rep. Ringo** made a motion to recommend approval of **Docket No. 39-0271-1301** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 39-0350-1301:** **Cathy Ford** of ITD presented a summary of the rule. This rule prohibits the discharge of firearms at Safety Rest Areas. She said **S 1441**, pre-empted the field of firearm regulation and prohibited state agencies from regulating firearms because it interfered with the Second Amendment rights. Under Section 18-3302J, Idaho Code, counties and cities may regulate the discharge of firearms within its boundaries. State agencies, with the exceptions of universities and the Idaho Department of Fish and Game, do not have the authority. As a result this rule is being amended.

**MOTION:** **Rep. Packer** made a motion to recommend approval of **Docket No. 39-0350-1301** to the full committee. **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the Subcommittee, the meeting adjourned at 2:52 p.m.

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Representative Wood(35)  
Chair

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Linda Mott  
Secretary



AGENDA  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**  
**1:30 P.M.**  
**Room EW40**  
**Monday, January 20, 2014**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	Presentation "Lifespan of Infrastructure"	David Butzier, URS Corporation
	<b>Report from Wood(35) Subcommittee on Pending Rules</b> (approved by subcommittee)	Rep. Wood(35)
<a href="#"><u>39-0260-1301</u></a>	Rules Governing License Plate Provisions	
<a href="#"><u>39-0271-1301</u></a>	Rules Governing Driver's License Violation Point System	
<a href="#"><u>39-0312-1301</u></a>	Rules Governing Safety Requirements of Overlegal Permits	
<a href="#"><u>39-0315-1301</u></a>	Rules Governing Interstate Excess Weight Permits	
<a href="#"><u>39-0322-1301</u></a>	Rules Governing Overlegal Permits for Extra-Length Vehicle Combinations	
<a href="#"><u>39-0322-1302</u></a>	Rules Governing Overlegal Permits Extra-Length Vehicle Combinations	
<a href="#"><u>39-0323-1301</u></a>	Rules Governing Revocation of Overlegal Permits	
<a href="#"><u>RS22407</u></a>	Vehicle Code - clean up language statue in Title 49, and Title 67	Amy Smith, ITD

COMMITTEE MEMBERS

Chairman Palmer	Rep Denney	Rep Youngblood
Vice Chairman Shepherd	Rep Gestrin	Rep McDonald
Rep Wood(35)	Rep Gibbs	Rep Ringo
Rep Wills	Rep Hixon	Rep King
Rep Bateman	Rep Kauffman	Rep Gannon
Rep Henderson(Chambers)	Rep Packer	

COMMITTEE SECRETARY

Linda Mott  
Room: EW60  
Phone: 332-1146  
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MINUTES  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**

**DATE:** Monday, January 20, 2014

**TIME:** 1:30 P.M.

**PLACE:** Room EW40

**MEMBERS:** Chairman Palmer, Vice Chairman Shepherd, Representatives Wood(35), Wills, Bateman, Henderson (Chambers), Denney, Gestrin, Gibbs, Hixon, Kauffman, Packer, Youngblood, McDonald, Ringo, King, Gannon

**ABSENT/  
EXCUSED:** None

**GUESTS:** Jerry Whitehead, ITD Board; Jonathan Parker, Holland & Hart; John Foster, Kestrel West; Jude Foster, Self; Bryan Foote, Horrocks Engineers

**Chairman Palmer** called the meeting to order at 1:30 p.m.

**MOTION:** **Rep. Ringo** made a motion to approve the minutes of the January 14, 2014 meeting. **Motion carried by voice vote.**

**Dave Butzier**, Program Manager at URS Corporation, presented "*Lifespan of Infrastructure*." Mr. Butzier opened with "roads and bridges are our life blood and we need to take care of them." Many of Idaho's bridges are 90 years old with weight restrictions, he gave an example of a bridge in Canyon County that was built in 1922. Mr. Butzier, using the Canyon County bridge, explained the difference between structurally deficient and functionally obsolete. Structurally deficient - if significant load carrying elements are in poor condition. Functionally obsolete - insufficient deck roadway width exists, horizontal or vertical clearances are poor, and the approach to the roadway is poor.

**Mr. Butzier** continued to highlight the Interstate Highway System which was built in the 1960s. The freeway was narrow at the time providing for limited expansion, he suggests an outside fifth lane is needed. The Cole-Overland interchange provides an excellent example of "Build it and they will come." The interchange was built in 1996 with little development in the area. In 2014 this area has been fully developed as a result of the better access to the Interstate. Improving Idaho's road system helps commerce. Mr. Butzier stated planning for the future now, will help keep cost of upgrading and building infrastructure down.

**Rep. Wood(35)**, Chairman of the Rules Subcommittee, gave a report of seven Pending Rules - Docket No.s **39-0260-1301, 39-0271-1301, 39-0312-1301, 39-0315-1301, 39-0322-1301, 39-0322-1302, and 39-0323-1301** from Idaho Department of Transportation. Rep. Wood(35) stated these Pending Rules were reviewed by the subcommittee and recommended to go to the full committee for approval.

**MOTION:** **Rep. Wood(35)** made a motion to accept the report of the Rules Subcommittee. **Motion carried by voice vote.**

**RS 22407:** **Alan Frew** of Idaho Transportation Department explained that **RS 22407** is to clean up language and to alleviate inconsistencies in areas of Title 49 and Title 67 of the Idaho code. This bill will benefit vehicle owners who have lost their title and wish to transfer ownership by combining two administrative steps and benefits the department by reducing duplication. The changes clarify and allow local jurisdictions to apply fines for loss of title. Mr. Frew added the bill also integrates 2013 legislation allowing special plate owners to retain their plate and renew their registration up until the seven year life of the plate.

**MOTION:** **Rep. Wills** made a motion to introduce **RS 22407**. **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the committee: the meeting was adjourned at 1:45 p.m.

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Representative Palmer  
Chair

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Linda Mott  
Secretary

**AMENDED AGENDA #1**  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**  
**WOOD(35) SUBCOMMITTEE**  
**RULES**  
**Upon Adjournment of the Full Committee**  
**Room EW40**  
**Monday, January 20, 2014**

<b>DOCKET NO.</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>35-0105-1301</u></a>	Motor Fuels Tax Administrative Rules	Don Williams, Idaho State Tax Commission
<a href="#"><u>39-0402-1301</u></a>	Rules Governing Marking of Hazards to Air Flight	Bill Statham, ITD
<a href="#"><u>39-0404-1301</u></a>	Rules Governing Idaho Airport Aid Program	Bill Statham, ITD

COMMITTEE MEMBERS

Chairman Wood(35)  
Rep.Shepherd  
Rep.Gestrin  
Rep.Gibbs  
Rep.Packer  
Rep.Ringo

COMMITTEE SECRETARY

Linda Mott  
Room: EW60  
Phone: 332-1146  
email: htran@house.idaho.gov

MINUTES  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**  
**WOOD(35) SUBCOMMITTEE**  
RULES

**DATE:** Monday, January 20, 2014  
**TIME:** Upon Adjournment of the Full Committee  
**PLACE:** Room EW40  
**MEMBERS:** Chairman Wood(35), Representatives Shepherd, Gestrin, Gibbs, Packer, Ringo  
**ABSENT/  
EXCUSED:** None  
**GUESTS:** Bill Statham, ITD; Don Williams, ISTC

**Chairman Wood(35)** called the meeting to order at 1:55 p.m.

**MOTION:** **Rep. Ringo** made a motion to approve the minutes of the January 14, 2014, meeting. **Motion carried by voice vote.**

**DOCKET NO. 35-0105-1301:** **Don Williams** of the Idaho State Tax Commission, provided a summary of the purposed changes in the Motor Fuels Tax Administrative Rules section. These changes will clean up duplicate language for ease of reading, and will clarify administrative procedures. Rule 105 will allow the Idaho State Tax Commission to sell exempt decal stickers for convenience to the public. Rule 270 is changed to clearly state who is allowed to claim a refund using a alternate method. Rule 292 only has grammatical changes, and Rule 410 contains technical corrections in order to be consistent with the Administrative Procedures Act requirements.

**Mr. Williams** went on to explain Rule 510 and the transfer fee imposed when selling petroleum and petroleum based products and aligns the definition of used oil and used oil recycler to the Department of Environmental Quality definition. Used oil generated within the State of Idaho will not be assessed a transfer fee.

**MOTION:** **Rep. Gestrin** made a motion to recommend approval of **Docket No. 35-0105-1301** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 39-0402-1301:** **Bill Statham** of Idaho Transportation Department, Division of Aeronautics, summarized the proposed rule changes and said they will comply with **H 216 and S 1065**. He explained the changes simply add the legislative language exempting the power marketing firms and the 'Ham' and 'CB' radio towers, from the light and guyed tower marking requirements.

**MOTION:** **Rep. Packer** made a motion to recommend approval of **Docket No. 35-0402-1301** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 39-0404-1301:** **Bill Statham** of Idaho Transportation Department, Division of Aeronautics, summarized the proposed rule changes and said they are to comply with **H 40**. The definition for Airport Service Area Population and Adjusted Service Area Population are needed to understand how the match rate is set for a community airport for funding purposes. Mr. Statham also pointed out the changes made to re-prioritize the administrative procedures.

**MOTION:** **Rep. Gibbs** made a motion to recommend approval of **Docket No. 35-0404-1301** to the full committee. **Motion carried by voice vote.**

**Chairman Wood(35)** announced the remaining rules will be heard on Wednesday, January 22, 2014

**ADJOURN:** There being no further business to come before the committee; the meeting was adjourned at 2:43 p.m.

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Representative Wood(35)  
Chair

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Linda Mott  
Secretary

AGENDA  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**  
**1:30 P.M.**  
**Room EW40**  
**Wednesday, January 22, 2014**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	Presentation " <i>Safety on Idaho Roads</i> "	Scott Stokes, ITD
<a href="#"><u>RS22432</u></a>	License Plate Program: new license plate 4-H Program	Rep. Agidius
<a href="#"><u>RS22459C1</u></a>	Motor Vehicle Drivers - amending current repeat offender law	Amy Kearns, ITD
<a href="#"><u>H 364</u></a>	Motor Fuels Tax Law	Michael Chakarun, Idaho Tax Commission
<a href="#"><u>H 365</u></a>	Emergency Communications	Gen. Brad Richy, Military Division
<a href="#"><u>H 366</u></a>	National Guard, Active Duty Pay	Gen. Richard Turner, Military
<a href="#"><u>H 367</u></a>	Military Division/National Guard	Gen. Richard Turner, Military

COMMITTEE MEMBERS

Chairman Palmer	Rep Denney	Rep Youngblood
Vice Chairman Shepherd	Rep Gestrin	Rep McDonald
Rep Wood(35)	Rep Gibbs	Rep Ringo
Rep Wills	Rep Hixon	Rep King
Rep Bateman	Rep Kauffman	Rep Gannon
Rep Henderson(Chambers)	Rep Packer	

COMMITTEE SECRETARY

Linda Mott  
Room: EW60  
Phone: 332-1146  
email: htran@house.idaho.gov

MINUTES  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**

**DATE:** Wednesday, January 22, 2014

**TIME:** 1:30 P.M.

**PLACE:** Room EW40

**MEMBERS:** Chairman Palmer, Vice Chairman Shepherd, Representatives Wood(35), Wills, Bateman, Henderson (Chambers), Denney, Gestrin, Gibbs, Hixon, Kauffman, Packer, Youngblood, McDonald, Ringo, King, Gannon

**ABSENT/  
EXCUSED:** Wills

**GUESTS:** Linda Webb, Idaho 4-H; Dan Allers, Idaho 4-H, Amy Kearns, Idaho Transportation Department (ITD); Ed Pemble, ITD; Gloria Totoricaguena, PNWER; Amy Smith, ITD; Mike Chakarun, ISTC; Brent Jennings, ITD; Don Williams, ISTC; Jonathan Parker, Holland & Hart; John Foster, Kestrel West; Suzanne Budge, SBS Associates LLC

**Chairman Palmer** called the meeting to order at 1:30 p.m.

**Scott Stokes**, Deputy Director of ITD presented "Safety on Idaho Roads." In December 2011 ITD adopted a strategic plan with the emphasis on safety, mobility, and economic opportunity. The primary objective is safety for traveling public. Mr. Stokes stated all of the infrastructure projects and maintenance activities are designed to reduce crashes and save lives. Mr. Stokes continued to add that they are heavily engaging in improving driver behavior and working with the local communities and law enforcement. Mr. Stokes commented that the department can now measure their performance.

In January 2011 ITD introduced the ITD Dashboard to improve transparency and let the public track the progress of ITD. He gave several examples of GARVEE corridors in Idaho highway systems showing measurable statistics in increase traffic volume and decreased accidents. **Mr. Stokes** shared the implementation of Highway Safety Corridor Analysis Program, which won the National Roadway Safety Award in 2013. This system looks at the corridors and takes into account the causation of the crashers, and the variety of contributing circumstances. Staff then moves to recommending specific remedies from low cost to more aggressive treatments to specifically align with the needs of the section. Mr. Stokes pointed out that when we invest in transportation, we are highly motivated to get a high return on that investment. The GARVEE program is a very interesting case where we are living the positive return on our investment.

**RS 22432:** **Rep. Agidius** presented **RS 22432** and introduced 4-H supporters in the audience: **Linda Web** and **Dan Allers**. This legislation will allow a new 4-H license plate to be purchased by 4-H supporters. The funds of the program will be administered by the University System. 4-H programs all over the State of Idaho will benefit from these funds.

**MOTION:** **Rep. Gestrin** made a motion to introduce **RS 22432**. **Motion carried by voice vote.**



**RS 22459C1:** **Amy Kearns**, Program Specialist with Idaho Transportation Department's Driver Services Section, presented **RS 22459C1** which is regarding the assessment and treatment requirements associated with a mandatory driver's license suspension for repeat DUI offenders ignition interlock systems. Ms. Kearns explained that the legislation defines the term repeat offender and when a court can waive the requirement of an alcohol evaluation. The legislation will apply consistency as to the timing and length requirements for an ignition interlock system ordered for a repeat offender and corrects inconsistencies with verbiage in Idaho Code between the use of ignition interlock device and ignition interlock system.

**MOTION:** **Rep. Packer** made a motion to introduce **RS 22459C1**. **Motion carried by voice vote.**

**H 364:** **Michael Chakarun** of the Idaho State Tax Commission stated this is a cleanup bill which focuses on two sections. Section 63-2411 is being repealed because the same language is contained in Section 63-2243. Section 63-2243 contains technical changes and modifies the section allowing only licensed distributors to sell, purchase, receive, accept or transfer motor fuel or other petroleum products.

**MOTION:** **Rep. Kauffman** made a motion to send **H 364** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Kauffman** will sponsor the bill on the floor.

**H 365** **Gen. Brad Richy**, Director Bureau of Homeland Security, said this legislation gives authority to the adjutant general to appoint members of the various emergency communications committees.

**MOTION:** **Rep. Bateman** made a motion to send **H 365** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Bateman** will sponsor the bill on the floor.

**H 366:** **Gen. Richard Turner**, Military Division, stated that this legislation is housekeeping in nature. He explained the proposal strikes from the text of Idaho Code 46-605, "Shall be entitled to pay of fifty-five dollars (\$55.00) per day." This payment is below the Idaho minimum wage. By statute, soldiers and airmen on State Active Duty are paid based on military rank and years of service.

**MOTION:** **Rep. Hixon** made a motion to send **H 366** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Hixon** will sponsor the bill on the floor.

**H 367:** **Gen. Richard Turner**, Military Division, stated the changes to Section 46-604 provide the language needed to allow for the National Guard to be considered a law enforcement agency when the Guard assists other law enforcement agencies in asset forfeiture events. With this designation, Federal agencies will now recognize the National Guard to be entitled to receive funds from the seizure.

**MOTION:** **Rep. Wood(35)** made a motion to send **H 367** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Wood(35)** will sponsor the bill on the floor.

**MOTION:** **Rep. Hixon** made a motion to approve the minutes of the January 20, 2014 meeting. **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the committee; the meeting was adjourned at 2:16 p.m.

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Representative Shepherd  
Chair

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Linda Mott  
Secretary

AGENDA  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**  
**WOOD(35) SUBCOMMITTEE**  
RULES  
Upon Adjournment of the Full Committee  
Room EW40  
Wednesday, January 22, 2014

DOCKET NO.	DESCRIPTION	PRESENTER
<a href="#">15-0603-1301</a>	Public Safety Communications Rules	Gen. Brad Richy, Military Division
<a href="#">15-0604-1301</a>	Rules Governing Idaho Youth Challenge Program	Brig. Gen. Richard Turner
<a href="#">15-1301-1301</a>	Rules of the Idaho Emergency Response Commission	Gen. Brad Richy, Military Division
<a href="#">31-7103-1301</a>	Railroad Safety and Accident Reporting Rules	Commissioner Kjellander, Idaho Public Utilities Commission

COMMITTEE MEMBERS

Chairman Wood(35)  
Rep.Shepherd  
Rep.Gestrin  
Rep.Gibbs  
Rep.Packer  
Rep.Ringo

COMMITTEE SECRETARY

Linda Mott  
Room: EW60  
Phone: 332-1146  
email: htran@house.idaho.gov

MINUTES  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**  
**WOOD(35) SUBCOMMITTEE**  
RULES

**DATE:** Wednesday, January 22, 2014

**TIME:** Upon Adjournment of the Full Committee

**PLACE:** Room EW40

**MEMBERS:** Chairman Wood(35), Representatives Shepherd, Gestrin, Gibbs, Packer, Ringo

**ABSENT/  
EXCUSED:** None

**GUESTS:** Dennis Stevenson, State of Idaho Rules Coordinator

**Chairman Wood(35)** called the meeting to order at 2:20 p.m.

**DOCKET NO. 15-0603-1301:** **Gen. Brad Richy**, Military Division, stated that this rule corrects several inconsistencies and formatting problems.

**MOTION:** **Rep. Gestrin** made a motion to recommend approval of **Docket No. 15-0603-1301** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 15-0604-1301:** **Gen. Richard Turner**, Military Division, The National Guard Youth Challenge Program. He said this is a new title and chapter to establish the Idaho Youth Challenge Program, and its rules and process for administering the criteria fairly to all potential students wishing to enroll. He stated the board members will serve at the pleasure of adjutant general.

**MOTION:** **Rep. Packer** made a motion to recommend approval of **Docket No. 15-0604-1301** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 15-1301-1301:** **Gen. Richard Turner**, Military Division, states that **Docket No. 15-1301-1301** is being repealed in its entirety because it is a duplication of **Docket No. 15-1301-1302.**

**MOTION:** **Rep. Ringo** made a motion to recommend approval of **Docket No. 15-1301-1301** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 31-7103-1301:** **Commissioner Paul Kjellander** of the Idaho Public Utilities Commission stated this rule will adopt the current Code of Federal Regulations regarding the transport of hazardous materials by railroads.

**MOTION:** **Rep. Ringo** made a motion to recommend approval of **Docket No. 31-7103-1301** to the full committee. **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 2:42 p.m.

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Representative Wood(35)  
Chair

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Linda Mott  
Secretary

JOINT  
HOUSE TRANSPORTATION & DEFENSE COMMITTEE  
AND  
SENATE TRANSPORTATION COMMITTEE  
1:30 P.M.  
Lincoln Auditorum (WW02)  
Tuesday, January 28, 2014

SUBJECT	DESCRIPTION	PRESENTER
Presentation	Annual Presentation on the Idaho Department of Transportation to the Senate and House Transportation Committees.	Brian Ness, Director, ITD

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Palmer	Rep Denney	Rep Youngblood
Vice Chairman Shepherd	Rep Gestrin	Rep McDonald
Rep Wood(35)	Rep Gibbs	Rep Ringo
Rep Wills	Rep Hixon	Rep King
Rep Bateman	Rep Kauffman	Rep Gannon
Rep Henderson(Chambers)	Rep Packer	

COMMITTEE SECRETARY

Linda Mott  
Room: EW60  
Phone: 332-1146  
email: [htran@house.idaho.gov](mailto:htran@house.idaho.gov)

MINUTES  
JOINT MEETING  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**  
**SENATE TRANSPORTATION COMMITTEE**

**DATE:** Tuesday, January 28, 2014

**TIME:** 1:30 P.M.

**PLACE:** Lincoln Auditorium (WW02)

**MEMBERS:** Chairman Palmer, Vice Chairman Shepherd, Representatives Wood(35), Wills, Bateman, Henderson, Denney, Gestrin, Gibbs, Hixon, Kauffman, Packer, Youngblood, McDonald, Ringo, King, Gannon

Chairman Brackett, Vice Chairman Johnson, Senators Keough, Winder, Rice, Nonini, Hagedorn, Bock, Buckner-Webb

**ABSENT/  
EXCUSED:** Sen. Winder, Sen. Buckner-Webb

**GUESTS:** Kathy Martin, LCSC; Kristin Kemak, Lewis Clark Valley Chamber; Raeveen Welton, RMP; Lyn Darrington, State Farm Insurance Companies; Ken Burgess, Veritas Advisors; Dennis Tanikuni, Idaho Farm Bureau; Jack Renault, Self; Julie Pipal, Idaho Trucking Assoc.; Dave Butzier, ACEC of ID; Dave Carlson, AAA Idaho; Parker Papworth, Lobby Idaho, Laura Lantz, IAHD

**Chairman Brackett** called the meeting to order at 1:31 p.m.

**Rep. Hixon** welcomed the students from Syringa Middle School, Caldwell, that were in the auditorium and invited them to stay and listen to the presentation.

**Brian Ness**, Director of Idaho Transportation Department (ITD,) presented the annual report for the department. Director Ness introduced the executive team: **Jim Carpenter**, Chief Operations Officer, **Charlene McArthur**, Chief Administrative Officer, **Brenda Williams**, Chief Human Resources Officer, and **Scott Stokes**, Chief Deputy.

**Director Ness'** presentation was in three parts: A brief overview of the Governor's Budget Recommendation; a report on the structural and cultural changes occurring at the department and how they are driving a more effective and efficient agency, and what the department will focus on in 2014.

**Director Ness** stated that ITD receives funding from three different sources: state funds, federal funds, and other means that include local matching funds. He stated the department receives no revenue from the General Fund. He felt there should be concern regarding the fifty-five percent of ITD's revenue from federal funding continuing at its current level of state funding.

Because of the possible reduction in federal funding and the loss of employees by attrition, it was timely to dramatically change the culture of the department and organizational realignment, said **Director Ness**. ITD now values results and employees have been made accountable for the results they achieve. He stated the realignment has increased the span of control for supervisors from an average of three employees up to ten employees.

The Director also stated the department has implemented a department-wide strategic plan. The department has adopted the mission of safety, mobility, and economic opportunity. He stated they are carefully targeting available funding to

accomplish the department's mission and the goals of **Governor Otter's** Project 60 initiative – to grow the state's economy to more than \$60 billion annually. **Director Ness** explained their stated goals are supported by measurable performance indicators. Every person at ITD has performance goals that are directly tied to the strategic plan.

**Director Ness** spoke to the three areas of the strategic plan, safety, mobility, and economic opportunity. The department has launched a safety program called Positive Community Norms which engages bystanders to intervene when witnessing impaired driving. He presented the Highway Safety Corridor Analysis Tool to the Committees to improve the way ITD prioritizes safety projects in transportation corridors. Director Ness summarized the mobility portion of the plan which has eased driving through construction zones. He further explained the mission addresses economic opportunity. The department is working closely with the Departments of Commerce, Labor, and Agriculture to develop tools to measure and maximize the impacts of investments made by ITD in infrastructure.

**Director Ness** remarked that ITD has many accomplishments in 2013 and received national recognition. ITD's Winter Performance Measuring System received the Francis B. Fankoy Award for Innovation; the department also received two National Roadway Safety Awards from the Federal Highway Administration. He states that 2014 will be even better.

**Director Ness** shared that ITD's project delivery and cash flow will be another focus for 2014. He explained that workforce planning is needed because over the next five years, 50 percent of the department's employees will be eligible for retirement. The benefits of investing in transportation, was further explained by Director Ness. Maintenance has been the key to keeping Idaho's road system stable; however, Director Ness sees the need to look at replacing the bridges in the state. These bridges are an impediment to the state's economy, said Director Ness. He stated the American Association of Highway and Transportation Officials found that for every dollar invested now in maintaining good infrastructure, the state avoids spending \$6 to \$14 to repair or replace infrastructure in bad condition.

**Director Ness** concluded by stating the transportation system is the engine of Idaho's economy, and it is our job to keep that engine running smoothly.

**Chairman Brackett** formally welcomed **Rep. Frank Henderson** back to the committee.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 2:30 p.m.

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Representative Palmer  
Chair

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Linda Mott  
Secretary

AGENDA  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**  
**1:30 P.M.**  
**Room EW40**  
**Thursday, January 30, 2014**

SUBJECT	DESCRIPTION	PRESENTER
<a href="#">H 389</a>	Vehicle Code	Amy Smith, ITD

COMMITTEE MEMBERS

Chairman Palmer  
Vice Chairman Shepherd  
Rep Wood(35)  
Rep Wills  
Rep Bateman  
Rep Henderson

Rep Denney  
Rep Gestrin  
Rep Gibbs  
Rep Hixon  
Rep Kauffman  
Rep Packer

Rep Youngblood  
Rep McDonald  
Rep Ringo  
Rep King  
Rep Gannon

COMMITTEE SECRETARY

Linda Mott  
Room: EW60  
Phone: 332-1146  
email: [htran@house.idaho.gov](mailto:htran@house.idaho.gov)

MINUTES  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**

**DATE:** Thursday, January 30, 2014

**TIME:** 1:30 P.M.

**PLACE:** Room EW40

**MEMBERS:** Chairman Palmer, Vice Chairman Shepherd, Representatives Wood(35), Wills, Bateman, Henderson, Denney, Gestrin, Gibbs, Hixon, Kauffman, Packer, Youngblood, McDonald, Ringo, King, Gannon

**ABSENT/  
EXCUSED:** Representatives Palmer, Wills, and Gibbs

**GUESTS:** Amy Smith, ITD; Barry Takeuchi, ITD, Mark Warbis, Governor's Office  
**Chairman Shepherd** called the meeting to order at 1:33 p.m.

**MOTION:** **Rep. Hixon** made a motion to approve the minutes of the January 22, 2014, meeting. **Motion carried by voice vote.**

**H 389:** **Amy Smith**, Vehicle Services Manager, Idaho Transportation Department (ITD), presented **H 389** and stated it will clean up language and alleviate inconsistencies in the Code. She said the changes will benefit vehicle owners who are selling their vehicle, who have lost their title and want to transfer ownership. She stated there are provisions that will allow counties and the department to collect late title filing penalties in-between owners who fail to title or pay required sales tax. Ms. Smith said the bill will clarify many definitions. It will eliminate old language relating to plate reservation and codifies the long standing requirement of replacing plates every seven years.

**MOTION:** **Rep. Wood(35)** made a motion to send **H 389** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Wood(35)** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 1:44 p.m.

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Representative Palmer  
Chair

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Linda Mott  
Secretary



AGENDA  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**  
**1:30 P.M.**  
**Room EW40**  
**Tuesday, February 04, 2014**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">H 404</a>	Motor Vehicle relating to Ignition Interlock System	Amy Kearns, ITD
<a href="#">S 1201</a>	Motor Vehicle relating to organ donation contribution fund	Sen. Lee Heider

COMMITTEE MEMBERS

Chairman Palmer	Rep Denney
Vice Chairman Shepherd	Rep Gestrin
Rep Wood(35)	Rep Gibbs
Rep Wills	Rep Hixon
Rep Bateman	Rep Kauffman
Rep Henderson	Rep Packer

Rep Youngblood  
Rep McDonald  
Rep Ringo  
Rep King  
Rep Gannon

COMMITTEE SECRETARY

Linda Mott  
Room: EW60  
Phone: 332-1146  
email: [htran@house.idaho.gov](mailto:htran@house.idaho.gov)

MINUTES  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**

**DATE:** Tuesday, February 04, 2014

**TIME:** 1:30 P.M.

**PLACE:** Room EW40

**MEMBERS:** Chairman Palmer, Vice Chairman Shepherd, Representatives Wood(35), Wills, Bateman, Henderson, Denney, Gestrin, Gibbs, Hixon, Kauffman, Packer, Youngblood, McDonald, Ringo, King, Gannon

**ABSENT/  
EXCUSED:** None

**GUESTS:** Senator Lee Heider, Idaho; Edward Pemble, ITD; Amy Kearns, ITD; Brent Jennings, ITD; Woody Richards, Allstate; John Hedley, Allstate; Paul Jackson, Farmers Insurance; Parker Papworth, Lobby Idaho

**Chairman Palmer** called the meeting to order at 1:31 p.m.

**MOTION:** **Rep. Hixon** made a motion to approve the minutes of the January 28, 2014, meeting. **Motion carried by voice vote.**

**MOTION:** **Rep. Hixon** made a motion to approve the minutes of the January 30, 2014, meeting. **Motion carried by voice vote.**

**H 404:** **Amy Kearns**, Program Specialist with Idaho Transportation Department's driver services section, provided a summary of **H 404**. She stated this bill is to bring into alignment Idaho statues with the federal MAP-21 (Moving Ahead for Progress in the 21st Century Act) requirements in regard to repeat DUI offenders; specifically in relation to ignition interlock systems.

**MOTION:** **Rep. Packer** made a motion to send **H 404** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Wood** and **Rep. Gestrin** requested that they be recorded as voting **NAY**. **Rep. Packer** will sponsor the bill on the floor.

**S 1201:** **Sen. Lee Heider** presented **S 1201** to the committee. He stated that DMV provided concerns in regard to the collection of the voluntary two dollar donation for the organ donor program. DMV does not have the tools to collect and disburse the two dollar fee to the organ donor contribution fund. This bill is removing the two dollar donation. The two dollar registration fee, to be named as a organ donor, will not change. The organ donation designation has been a success, said Sen. Heider, in 2013 alone fifty lives were saved from the organ donors.

**MOTION:** **Rep. Hixon** made a motion to send **S 1201** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Hixon** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 1:55 p.m.

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Representative Palmer  
Chair

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Linda Mott  
Secretary

AGENDA  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**  
**WOOD(35) SUBCOMMITTEE**  
RULES SUBCOMMITTEE  
1:00 P.M.  
Room EW40  
Thursday, February 06, 2014

DOCKET NO.	DESCRIPTION	PRESENTER
<a href="#">39-0350-1301</a>	Rules Governing Safety Rest Areas	

COMMITTEE MEMBERS

Chairman Wood(35)

Rep. Shepherd

Rep. Gestrin

Rep. Gibbs

Rep. Packer

Rep. Ringo

COMMITTEE SECRETARY

Linda Mott

Room: EW60

Phone: 332-1146

email: [htran@house.idaho.gov](mailto:htran@house.idaho.gov)

MINUTES  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**  
**WOOD(35) SUBCOMMITTEE**  
RULES SUBCOMMITTEE

**DATE:** Thursday, February 06, 2014  
**TIME:** 1:00 P.M.  
**PLACE:** Room EW40  
**MEMBERS:** Chairman Wood(35), Representatives Shepherd, Gestrin, Gibbs(Palmer), Packer, Ringo(Jordan)  
**ABSENT/  
EXCUSED:** None  
**GUESTS:** Cathy Ford, ITD; Steve Spoor, ITD; Ron Carpenter, Self; Dennis Stevenson, Rules Coordinator, Idaho  
**Chairman Wood(35)** called the meeting to order at 1:02 p.m.  
**DOCKET NO.  
39-0350-1301:** Rules Governing Safety Rest Areas. **Chairman Wood(35)** explained to the subcommittee that the House and the Senate want to concur on the action of this rule, this is why it is before the committee.  
**MOTION:** **Rep. Gestrin** made a motion to recommend approval of **Docket No. 39-0350-1301** to the full committee with exception of the following subsections on page 72, within Section 200. Public Behavior and Treatment of Public Property. That the amended portion of Subsection 04. Donation, be rejected, and Subsection 05. Soliciting, be rejected. And, the amendment and the codified rule of Subsection 06. Fireworks, be rejected. **Motion carries by voice vote.**  
**ADJOURN:** There being no further business to come before the subcommittee, the meeting was adjourned at 1:11 p.m.

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Representative Wood(35)  
Chair

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Linda Mott  
Secretary

**AMENDED AGENDA #1**  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**  
**1:30 P.M.**  
**Room EW40**  
**Thursday, February 06, 2014**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	<b>Report from Wood(35) Subcommittee on Pending Rules</b>	Rep. Wood(35)
<a href="#">15-0603-1301</a>	Public Safety Communications Rules	
<a href="#">15-0604-1301</a>	Rules Governing Idaho Youth Challenge Program	
<a href="#">15-1301-1301</a>	Rules of the Idaho Emergency Response Commission	
<a href="#">31-7103-1301</a>	Railroad Safety and Accident Reporting Rules	
<a href="#">35-0105-1301</a>	Motor Fuels Tax Administrative Rules	
<a href="#">39-0402-1301</a>	Rules Governing Marking of Hazards to Air Flight	
<a href="#">39-0404-1301</a>	Rules Governing Idaho Airport Aid Program	
<a href="#">39-0350-1301</a>	Rules Governing Safety Rest Areas	
	Presentation "Link Between Infrastructure and Development"	Chandler Duncan, DR Group
<a href="#">H 403</a>	Motor Vehicle Specialty License Plate - 4-H	Rep. Agidius
<a href="#">RS22779</a>	Relating to Motor Fuel Taxation	Skip Smyser, Lobby Idaho

COMMITTEE MEMBERS

Chairman Palmer	Rep Denney	Rep Youngblood
Vice Chairman Shepherd	Rep Gestrin	Rep McDonald
Rep Wood(35)	Rep Gibbs	Rep Ringo
Rep Wills	Rep Hixon	Rep King
Rep Bateman	Rep Kauffman	Rep Gannon
Rep Henderson	Rep Packer	

COMMITTEE SECRETARY

Linda Mott  
Room: EW60  
Phone: 332-1146  
email: htran@house.idaho.gov

MINUTES  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**

**DATE:** Thursday, February 06, 2014

**TIME:** 1:30 P.M.

**PACE:** Room EW40

**MEMBERS:** Chairman Palmer, Vice Chairman Shepherd, Representative(s) Wood(35), Wills, Bateman, Henderson, Denney, Gestrin, Gibbs, Hixon, Kauffman, Packer, Youngblood, McDonald, Ringo (Jordan), King, Gannon

**ABSENT/  
EXCUSED:** None

**GUESTS:** Jim Wilson, Clancy Johnston, Justin Nesbitt, Hunter Moize, Bailey Rill, Zachary Asher, Kristin Nesbitt, Erin Root, Christina Schram, Linda Asher, Dan Allers, Beth Carter, Maurine Johnson, Linda Webb, Julie Oberle, Friends of 4-H; Skip Smyser, ITA; Doug Stowers, Gem State Oil Recovery; Don Williams, ISTC; Dave Carlson, AAA, Idaho; Jason Kreizenbeck, Lobby Idaho; Julie Pipal, Idaho Trucking; Danyelle Harbauer, Idaho Trucking; Amy Luft, COMPASS; Christine Fisher, ITD DMV; Ron Carpenter, Self

**Chairman Palmer** called the meeting to order at 1:30 p.m.

Report from Wood(35) Subcommittee on the Pending Rules and amendments as presented in the letter dated February 6, 2014, to the full committee.

**MOTION:** **Rep. Wood (35)** made a motion to approve the Rules Subcommittee report of the Pending Rules including amendments as reported. **Motion carried by voice vote.**

**RS 22779:** **Skip Smyser**, Idaho Trucking, Lobby Idaho, presented **RS 22779** and stated at the request of his client the Idaho Trucking Association, the legislation before the committee is to bring funding to the much needed Idaho transportation system. He stated this legislation would raise the motor fuel tax \$.02 per year for three years, increasing the motor fuel tax \$.06 per gallon by the third year. Mr. Smyser indicated that the economy is dependent on the trucking industry. Commodities are imported and exported by trucks; trucks need good roads and bridges to transport the goods to keep the cost of trucking down. He gave an example of a bridge with weight restrictions requiring the transporter to divide the load into two trucks instead of one large truck. Mr. Smyser stated that GARVEE funding has been a good tool for the highway system; however, bond indebtedness is a hard sell and takes away much needed revenue from the road program during the repayment period of the bonds. He said the trucking industry supports maintaining a good transportation system; therefore, the industry supports a fuel tax increase.

**MOTION:** **Rep. Packer** made a motion to introduce **RS 22779**. **Rep. Kauffman** invoked Rule 38 stating a possible conflict of interest but that he would be voting on the legislation. **Rep. Youngblood** invoked Rule 38 stating a possible conflict of interest but that he would be voting on the legislation. **Motion carried by voice vote.** **Rep. Wood(35)** requested that she be recorded as voting **NAY**.

**MOTION:** **Rep. Hixon** made a motion to approve the minutes of the February 4, 2014, meeting. **Motion carried by voice vote.**

**H 403:** **Rep. Agidius** announced that there are supporters in the audience from **Friends of 4-H**, and she is yielding to their testimonies for **H 403** to the Committee and she will stand for questions after each guest has provided testimony. The Friends of 4-H presented many accounts of the achievements of the participating youth in 4-H Programs throughout the State of Idaho. The students of "Know Your Government" (KYG) appreciated the opportunities the 4-H KYG program has provided. The guest speakers spoke to many examples of benefits the speciality license plate will provide in keeping the programs available for future generations. The Friends of 4-H explained how the speciality license plate will not only bring funding, but will bring awareness of 4-H programs to the general public. In closing, Rep. Agidius explained how this is a great tool for Idahoans in helping promote 4-H programs.

**MOTION:** **Rep. Hixon** made a motion to send **H 403** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.**

Presentation "Link Between Infrastructure and Development" **Chandler Duncan** from EDR Group, Boston. Mr. Duncan stated his focus is on private sector and the role the transportation system plays. Trade industries, whether importing or exporting bring money into Idaho. Goods flow in and out of the Idaho and the industries rely on a good highway system to transport the merchandise. He stated with the increased fuel efficiency of vehicles, which reduces the amount of fuel purchased, affect the State's transportation system funding. He stated fuel taxes are not the most efficient way to get money. Mr. Duncan brought up the significance of "through traffic" which is imposing cost onto Idaho and suggested there may be opportunities with MAP 21 law, in working with adjacent states. In conclusion, he said there are new opportunities for market-based solutions and collaboration between states.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 3:08 p.m.

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Representative Palmer  
Chair

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Linda Mott  
Secretary

**AMENDED AGENDA #1**  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**  
**1:30 P.M.**  
**Room EW40**  
**Monday, February 10, 2014**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>S 1227</u></a>	Highways Vietnam Veterans Memorial Highway	Sen. Heider
<a href="#"><u>RS22753</u></a>	Motor Vehicles Relating to Snowmobiles weight	Rep. Gestrin
<a href="#"><u>RS22633C1</u></a>	Motor Vehicles off-highway vehicle registration	Rep. Gestrin
<a href="#"><u>RS22805</u></a>	Motor Vehicles Exception to Weight	Rep. Shepherd
<a href="#"><u>RS22767C1</u></a>	Transportation Highway funding	Rep. Palmer

COMMITTEE MEMBERS

Chairman Palmer	Rep Denney
Vice Chairman Shepherd	Rep Gestrin
Rep Wood(35)	Rep Gibbs
Rep Wills	Rep Hixon
Rep Bateman	Rep Kauffman
Rep Henderson	Rep Packer

Rep Youngblood
Rep McDonald
Rep Ringo
Rep King
Rep Gannon

COMMITTEE SECRETARY

Linda Mott  
Room: EW60  
Phone: 332-1146  
email: [htran@house.idaho.gov](mailto:htran@house.idaho.gov)



MINUTES  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**

**DATE:** Monday, February 10, 2014

**TIME:** 1:30 P.M.

**PLACE:** Room EW40

**MEMBERS:** Chairman Palmer, Vice Chairman Shepherd, Representative(s) Wood(35), Wills, Bateman, Henderson, Denney, Gestrin, Gibbs, Hixon, Kauffman, Packer, Youngblood, McDonald, Ringo, King, Gannon

**ABSENT/  
EXCUSED:** none

**GUESTS:** Anna Canning, IDPR; Caitlin Rusche, IAC; Dennis Tanikuni, Idaho Farm Bureau; David Claiborne, ISATVA; Mike Kane, AAA; Dave Carlson, AAA; Julie Hart, Westerberg & Assoc.; Jerry Deckard, Capitol West

**Chairman Palmer** called the meeting to order 1:30 p.m.

**S 1227:** **Sen. Heider** presented **S 1227** to the committee and stated that it will be establishing a portion of interstate highway I-84 as the **Vietnam Veterans Memorial Highway**. He remarked, this will be honoring veterans serving in Vietnam which includes 217 military personnel that never returned home to Idaho. He articulated the legislation will establish road signage designed to honor Vietnam veterans.

**MOTION:** **Rep. Hixon** made a motion to send **S 1227** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Denney** will sponsor the bill on the floor.

**RS 22753:** **Rep. Gestrin** explained the Statue, when originally created, did not bring into account heavier vehicles that could be used as a snowmobile and driven on groomed snowmobile trails. The newer vehicles are using track skis and are heavier than a snowmobile, he stated. We are changing the maximum weight from 1,000 to 2,000 lb. which will allow all-terrain vehicles and snowmobiles to operate on groomed trails.

**MOTION:** **Rep. Bateman** made a motion to introduce **RS 22753**. **Motion carried by voice vote.**

**RS 22633C1:** **Rep. Gestrin** stated he is bringing this RS forward at the request of the recreational community, specifically from a summer task force, which he served on at the Idaho Department of Parks and Recreation (IDPR.) **Rep. Gestrin** explained the change removes the term registration and replaces it with the term number. He clarified the recreational sticker fee remains intact. The next area of correction, he said, will remove the seasonal registration, replacing it with a one-year registration and no proration clause. He concluded this change should bring \$50,000 into the recreational fund.

**MOTION:** **Rep. Wood(35)** made a motion to introduce **RS 22633C1**. **Motion carried by voice vote.**

**RS 22805:** **Rep. Shepherd** provided information on **RS 22805**. This RS broadens the exemptions of weight and size limitations due to accumulated snow or mud to include other trucking industries.

**MOTION:** **Rep. Gestrin** made a motion to introduce **RS 22805**. **Motion carried by voice vote.**

**Chairman Palmer** turned the gavel over to **Vice Chairman Shepherd**.

**RS 22767C1:** **Rep. Palmer** stated that everyone agrees that transportation needs more funding. He stated that he would like legislation to be introduced to stimulate discussion. Rep. Palmer admitted the bill does get confusing regarding the allocation of funding once two triggers are met. He explained that Idaho is one of a few states that does not give General Fund money to transportation, registration and fuel tax is the only funding. Rep. Palmer commented that this approach gently moves more money into transportation. There are two triggers that must be met prior to moving one-sixth of the sales tax raised to transportation. As the economy gets better the amount of funds will increase. He affirmed there are several things that must be addressed before this one-sixth goes into transportation. First the General Fund must be at \$2,909,847,700, this is where the General Fund was at its highest point before the recession, he said. Second, the amount of funding going toward education was also at its highest point prior to the recession, \$1,418,542,700, he stated. Rep. Palmer conveyed that as the economy grows, the obligations will still be met. Rep. Palmer affirmed that infrastructure is very important to the economy, and investing in roads will help the economy grow.

**MOTION:** **Rep. Hixon** made a motion to introduce **RS 22767C1**. **Motion carried by voice vote.**

**Vice Chairman Shepherd** turned to gavel over to **Chairman Palmer**.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 2:01 p.m.

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Representative Palmer  
Chair

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Linda Mott  
Secretary

AGENDA  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**  
**1:30 P.M.**  
**Room EW40**  
**Tuesday, February 18, 2014**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	Presentation <i>"Real World Examples from Real World Idahoans"</i>	Dwight Light, Little Farms
<a href="#">H 493</a>	Motor Vehicles - relating to vehicle weight exemptions	Rep. Shepherd

COMMITTEE MEMBERS

Chairman Palmer  
Vice Chairman Shepherd  
Rep Wood(35)  
Rep Wills  
Rep Bateman  
Rep Henderson

Rep Denney  
Rep Gestrin  
Rep Gibbs  
Rep Hixon  
Rep Kauffman  
Rep Packer

Rep Youngblood  
Rep McDonald  
Rep Ringo  
Rep King  
Rep Gannon

COMMITTEE SECRETARY

Linda Mott  
Room: EW60  
Phone: 332-1146  
email: [htran@house.idaho.gov](mailto:htran@house.idaho.gov)

MINUTES  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**

**DATE:** Tuesday, February 18, 2014

**TIME:** 1:30 P.M.

**PLACE:** Room EW40

**MEMBERS:** Chairman Palmer, Vice Chairman Shepherd, Representative(s) Wood(35), Wills, Bateman, Henderson, Denney, Gestrin, Gibbs, Hixon, Kauffman, Packer, Youngblood, McDonald, Ringo, King, Gannon

**ABSENT/  
EXCUSED:** None

**GUESTS:** Cynthia Gibson, Idaho Pedestrian Bicycle Alliance; Kristyn Kirschenman, Risch-Pisca

**Chairman Palmer** called the meeting to order at 1:32 p.m.

**Chairman Palmer** introduced the committee's new Page, **Jaylee Miyake** of Caldwell.

**MOTION:** **Rep. Hixon** made a motion to approve the minutes of the February 6 and February 10, 2014, meetings. **Motion carried by voice vote.**

**MOTION:** **Rep. Ringo** made a motion to approve the minutes of the Wood(35) Rules Subcommittee dated February 6, 2014. **Motion carried by voice vote.**

**Dwight Little** of Fremont County, Idaho, brought to the Committee his real life experience of a public bridge failing. He told the story of a public road that traverses his farmland with a bridge. He mentioned he is a fourth generation Idahoan. Mr. Little recalls this bridge when it was a wooden bridge, and as the County population grew, the bridge was upgraded to a concert two-way bridge. This bridge is very important to the local farmers in the area. Last summer a state inspector declared the bridge to be unsafe for passage. A barricade was placed on one side of bridge allowing for cars and pickup trucks to cross over the canal. No heavy equipment or loaded trucks could cross, he said. This means he had to go around his land on a three mile detour. He stated during the short harvest period the detour caused an economic hardship on the local farmers. When he went to the County for help, Mr. Little stated the County staff told him they have over 100 bridges to maintain and not enough funding. He acknowledged this as part of a larger problem across the State. Mr. Little concluded with how important public roads and bridges are to a rural community.

**H 493:** **Rep. Shepherd** provided a summary of **H 493**. He said this bill enables tolerance in overweight vehicles to all industries. Rep. Shepherd explained that this gives an allowance for mud, snow, and ice buildup on all trucks. He gave an account of loading a truck and the loader operator overfilled the bed. This change would provide a safety-net for the accidental overage. He also stated this change does not affect an Federal funding requirements.

**MOTION:** **Rep. Wood(35)** made a motion to send **H 493** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Shepherd** will sponsor the bill on the floor.

**ADJOURN:**      There being no further business to come before the committee, the meeting was adjourned at 1:47 p.m.

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Representative Palmer  
Chair

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Linda Mott  
Secretary

AGENDA  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**  
**1:30 P.M.**  
**Room EW40**  
**Thursday, February 20, 2014**

SUBJECT	DESCRIPTION	PRESENTER
	Presentation <i>"Reports from the Front Lines - the Highway Districts"</i>	David Lincoln, Golden Gate Highway District
<a href="#">H 491</a>	Motor Vehicles Relating to Snowmobiles Weight	Rep. Gestrin
<a href="#">H 492</a>	Motor Vehicles Off-highway Vehicle Registration	Rep. Gestrin

COMMITTEE MEMBERS

Chairman Palmer  
Vice Chairman Shepherd  
Rep Wood(35)  
Rep Wills  
Rep Bateman  
Rep Henderson

Rep Denney  
Rep Gestrin  
Rep Gibbs  
Rep Hixon  
Rep Kauffman  
Rep Packer

Rep Youngblood  
Rep McDonald  
Rep Ringo  
Rep King  
Rep Gannon

COMMITTEE SECRETARY

Linda Mott  
Room: EW60  
Phone: 332-1146  
email: [htran@house.idaho.gov](mailto:htran@house.idaho.gov)

MINUTES  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**

**DATE:** Thursday, February 20, 2014

**TIME:** 1:30 P.M.

**PLACE:** Room EW40

**MEMBERS:** Chairman Palmer, Vice Chairman Shepherd, Representative(s) Wood(35), Wills, Bateman, Henderson, Denney (Rynearson), Gestrin, Gibbs, Hixon, Kauffman, Packer, Youngblood, McDonald, Ringo, King, Gannon

**ABSENT/  
EXCUSED:** Representatives Packer, Gibbs and Wills

**GUESTS:** Haden Claiborne, Idaho UTV and Idaho Recreation Council; Ray Harrison, Idaho UTV/RGPA; Danny Prochaska, Idaho UTV/IGPA; Tony Smith, Lobbyist; Becky Johnston, Back Country Recreation Club; Jim Kuln, Idaho Recreation Council; David Claiborne, Idaho ATV Assoc.; Zayden Gabby, IRC; Nancy Merrill, Idaho State Parks; Cliff Code, IGPA; Amy Smith, ITD; David Lincoln, IAHD; Sandra Mitchell, IRC; Danyelle Harbauer, Idaho Trucking; Bill Bennett, self; Pat Niemer, self

**Chairman Palmer** called the meeting to order at 1:32 p.m.

**Chairman Palmer** welcomed **Rep. Harold Rynearson** to the Committee.

**David Lincoln** of the Golden Gate Highway District presented *"Reports from the Front Lines - the Highway Districts."* Mr. Lincoln stated there are 64 highway jurisdictions in Idaho that over see transportation infrastructure. His district consists of 223 miles of roads out of the 1,043 miles in Canyon County, with 120 bridges. He gave examples of failing culverts undermining roads, and washouts. Mr. Lincoln explained the highway districts are doing their best to maintain the roads and bridges; however the time is getting close for a major overhaul. Keeping our roads paved and in good repair helps reduce dust during the harvest time, he said. The Highway Districts are looking at new cost efficient ways to upgrade the road system with limited funds. He stated the road jurisdictions and local governments are now collaborating and planning together to meet the needs of the transportation system which include waterways.

**H 491:** **Rep. Gestrin** provided a recap of **H 491** stating the legislation addresses the definition of a snowmobile by weight. Today many all terrain vehicles can use snow tracks to travel on groomed trails. UTVs, motorcycles, ATVs, and snowmobiles weigh more than 1,000 lb. and less than 2,000 lb., he said. The Counties have the option to allow the heavier vehicles on their trails. Stakeholders have been contacted, and he stated there has been no opposition to this increase in weight to 2,000 lb.

**MOTION:** **Rep. Wood** made a motion to send **H 491** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Gestrin** will sponsor the bill on the floor.

- H 492:** **Rep. Gestrin** reported discussions began last year to clarify the confusion between the terms registration and certificate of number/number certificate. A task force was put together by the Idaho Department of Parks and Recreation (IDPR) that included stakeholders to find a way to distinguish between the terms. The task force concluded the changes in **H 492** will bring clarity by removing the term registration. He stated recreational use and certificate of numbering, commonly referred to the 'Pay to Play' sticker, is a function of IDPR. The function of registration ownership is with the Department of Motor Vehicles. He explained another change is an increase in the fine to \$50 for not having a number certificate. The last change is requiring an annual fee for vessels which is consistent with other recreational fees and will bring in \$60,000 more a year.
- MOTION:** **Rep. Hixon** made a motion to send **H 492** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Gestrin** will sponsor the bill on the floor.
- ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 2:31 p.m.

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Representative Palmer  
Chair

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Linda Mott  
Secretary



AGENDA  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**  
**1:30 PM or Upon Adjournment**  
**Room EW40**  
**Monday, February 24, 2014**

SUBJECT	DESCRIPTION	PRESENTER
<a href="#">S 1339</a>	Motor Vehicles - Special License Plate Purple Heart	Sen. Hagedorn

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Palmer	Rep Denney(Rynearson)	Rep Youngblood
Vice Chairman Shepherd	Rep Gestrin	Rep McDonald
Rep Wood(35)	Rep Gibbs	Rep Ringo
Rep Wills	Rep Hixon	Rep King
Rep Bateman	Rep Kauffman	Rep Gannon
Rep Henderson	Rep Packer	

COMMITTEE SECRETARY

Linda Mott  
Room: EW60  
Phone: 332-1146  
email: [htran@house.idaho.gov](mailto:htran@house.idaho.gov)

MINUTES  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**

**DATE:** Monday, February 24, 2014  
**TIME:** 1:30 PM or Upon Adjournment  
**PLACE:** Room EW40  
**MEMBERS:** Chairman Palmer, Vice Chairman Shepherd, Representative(s) Wood(35), Wills, Bateman, Henderson, Denney, Gestrin, Gibbs, Hixon, Kauffman, Packer, Youngblood, McDonald, Ringo, King, Gannon  
**ABSENT/EXCUSED:** Rep. King, Rep. Wills, and Rep. Gibbs  
**GUESTS:** Amy Smith, ITD  
**Chairman Palmer** called the meeting to order at 3:12 p.m.  
**S 1339:** **Sen. Hagedorn** stated **S 1339** is expanding the Purple Heart speciality license plate to motorcycles and a new design is needed for a seven inch plate. He further explained that the legislation will allow the handicapped insignia to be added on the Purple Heart plate. **Sen. Hagedorn** explained the applicant for the combination plate must meet the existing requirements for both the Purple Heart status and the handicapped status. He stated the monies received from the sale of these plates will go direct into the highway distribution fund.  
**MOTION:** **Rep. Bateman** made a motion to send **S 1339** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Hixon** will sponsor the bill on the floor.  
**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 3:20 p.m.

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Representative Palmer  
Chair

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Linda Mott  
Secretary

AGENDA  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**  
**1:30 PM or Upon Adjournment**  
**Room EW40**  
**Wednesday, February 26, 2014**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>S 1348</u></a>	Relating to Department of Transportation annual reporting extension	Sen. Goedde
<a href="#"><u>S 1265</u></a>	Zoning relating to airports	Sen. Heider
<a href="#"><u>S 1304</u></a>	Relating to driver licensing documentation and testing	Ed Pemble, ITD
<a href="#"><u>S 1305</u></a>	Relating to tank endorsement commercial drivers' license	Ed Pemble, ITD

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Palmer	Rep Denney	Rep Youngblood
Vice Chairman Shepherd	Rep Gestrin	Rep McDonald
Rep Wood(35)	Rep Gibbs	Rep Ringo
Rep Wills	Rep Hixon	Rep King
Rep Bateman	Rep Kauffman	Rep Gannon
Rep Henderson	Rep Packer	

COMMITTEE SECRETARY

Linda Mott  
Room: EW60  
Phone: 332-1146  
email: [htran@house.idaho.gov](mailto:htran@house.idaho.gov)

MINUTES  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**

**DATE:** Wednesday, February 26, 2014

**TIME:** 1:30 PM or Upon Adjournment

**PLACE:** Room EW40

**MEMBERS:** Chairman Palmer, Vice Chairman Shepherd, Representative(s) Wood(35), Wills, Bateman, Henderson, Denney, Gestrin, Gibbs, Hixon, Kauffman, Packer, Youngblood, McDonald, Ringo, King, Gannon

**ABSENT/  
EXCUSED:** Rep. Youngblood

**GUESTS:** Tim Horn, Idaho State Police; Debra Hall, ITD; Edward Pemble, ITD; Bill Miller, Idaho Aviation Assoc.; Nathan Cuyant, T-O Engineers; Kristyn Kirschenman, Risch-Pisca; Stephen Freiburger, Paragon Consulting; John Eaton, Realtors; Justin Ruen, Assoc. of Idaho Cities

**Chairman Palmer** called the meeting to order at 2:36 p.m.

**MOTION:** **Rep. Ringo** made a motion to approve the minutes of the February 18, 20, and 24, 2014 meetings. **Motion carried by voice vote.**

**S 1348:** **Sen. Goedde** explained this legislation is to extend the sunset clause for the Idaho Department of Transportation (ITD) to finalize the motor vehicle software system conversion to June 2017. He stated that ITD does provide an annual progress report to the Legislature.

**MOTION:** **Rep. Wills** made a motion to send **S 1348** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Wills** will sponsor the bill on the floor.

**S 1265:** **Sen. Heider** stated the goal of **S 1265** is to incorporate the needs of airports into the local community planning process and help to preserve the future of airports as a community asset. This legislation will require communication between the local governments and airports in regard to comprehensive planned development that occurs next to an airport. He explained with this action the airports will be in conformity with national airport practices to obtain funding from the Federal Aviation Administration (FAA) and ensure public safety. **Sen. Heider** concluded that the Aircraft Owners and Pilots Association, Idaho Aviation Association, Idaho Airport Management Association, Association of Idaho Cities, Idaho Association of Counties and Realtors support this legislation.

**MOTION:** **Rep. Wood** made a motion to send **S 1265** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Gibbs** will sponsor the bill on the floor.

**S 1304:** **Ed Pemble**, ITD Driver Services Manager stated **S 1304** provides flexibility to issuing Class D driver training permits. If the applicant does not have all required documentation available at the time of application, the department may still approve a permit to be issued so the applicant can enter a driver training course. Any outstanding documentation can be gathered upon completion of the supervised instruction period so as not to delay driver training. He stated the legislation allows for an authorized person to accompany the applicant and attest to the fulfillment of requirements at the time of application.

**MOTION:** **Rep. Bateman** made a motion to send **S 1304** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Bateman** will sponsor the bill on the floor.

**S 1305:** **Ed Pemble**, ITD Driver Services Manager, stated the primary purpose of the legislation is to update the tank vehicle definition to meet national standards. To clarify the definition, Mr. Pemble introduced **Lieutenant Tim Horn** of the Idaho State Police.

**Lieutenant Tim Horn** Idaho State Police, explained drivers with a commercial driver's license (CDL) operating in intrastate or interstate commerce will need a tank endorsement when hauling a tank(s) with the aggregate containment weight equaling 1,000 gallons of liquid or gaseous materials. He stated this legislation clearly defines the definition of a tank and an empty tank.

In answer to questions from the Committee, **Debra Hall**, Drivers License Program Supervisor Driver Services stated the legislation benefits the smaller volume tank carriers when the aggregate weight is less than 1,000 gallons or empty, no tank endorsement will be needed. An example was provided – eleven 110 gallon capacity tanks are temporarily staked on a trailer, the combined contents is 1,100 gallons, the tank endorsement is needed.

**MOTION:** **Rep. Wills** made a motion to send **S 1305** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Wills** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 3:38 p.m.

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Representative Palmer  
Chair

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Linda Mott  
Secretary

**AMENDED AGENDA #1**  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**  
**1:30 PM or Upon Adjournment**  
**Room EW40**  
**Tuesday, March 04, 2014**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	Presentation " <i>Transit and Active Transportation in Idaho</i> "	Heather Wheeler, CTAI and Gary Segers, Idaho Pedestrian & Bicycle Alliance
<a href="#"><u>S 1284</u></a>	Speed limits - maximum speed limit increase	Sen. Bart Davis
<a href="#"><u>S 1286</u></a>	Sanitation trucks, weights	Sen. Johnson

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Palmer	Rep Denney	Rep Youngblood
Vice Chairman Shepherd	Rep Gestrin	Rep McDonald
Rep Wood(35)	Rep Gibbs	Rep Ringo
Rep Wills	Rep Hixon	Rep King
Rep Bateman	Rep Kauffman	Rep Gannon
Rep Henderson	Rep Packer	

COMMITTEE SECRETARY

Linda Mott  
Room: EW60  
Phone: 332-1146  
email: [htran@house.idaho.gov](mailto:htran@house.idaho.gov)

MINUTES  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**

**DATE:** Tuesday, March 04, 2014

**TIME:** 1:30 PM or Upon Adjournment

**PLACE:** Room EW40

**MEMBERS:** Chairman Palmer, Vice Chairman Shepherd, Representative(s) Wood(35), Wills, Bateman, Henderson, Denney, Gestrin, Gibbs, Hixon, Kauffman, Packer, Youngblood, McDonald, Ringo, King, Gannon

**ABSENT/  
EXCUSED:** None

**GUESTS:** Kate Eldridge, HDR; Jerry Deckard, Capitol West; Mike Kane, AAA; Dave Carlson, AAA; Brook Green, CTAI

**Chairman Palmer** called the meeting to order at 1:32 p.m.

**S 1284aa:** **Sen. Davis** stated he would like **Holly Sutherland**, a third year law student to present the committee with **S 1284aa**. Sen. Davis explained the research was performed by Ms. Sutherland relating to the 85th Percentile Rule in traffic engineering and Utah's pilot program on portions of I84. He explained that this legislation puts the decision making into the hands of the experts: Idaho Transportation Department (ITD) and its Board.

**Holly Sutherland** added the legislation provides the ITD Board the discretion to raise the speed rate after studies have been performed by ITD. She stated the 85th Percentile Rule suggests that the public will travel at a speed that is comfortable to the driver and the flow of traffic. In answer to committee questions, gas consumption had no conclusive evidence at higher speeds contributing to higher gas consumption. This could be that new cars and trucks are more fuel efficient than in 1972 when the gas shortage required speed limits to be decreased on public roads. She stated the studies showed accidents decrease because the vehicles were moving at a safer and more uniform speed. The Utah pilot program recommendations have been in statute for one year and shows no increase in accidents. A Texas study has been in affect longer than a year and it concluded that drivers will travel at the speed they are most comfortable driving.

**MOTION:** **Rep. Gibbs** made a motion to send **S 1284aa** to the floor with a **DO PASS** recommendation.

**Mike Kane** of AAA requested the committee add one more year to the effective date of the bill to work out concerns and questions AAA has regarding the legislation. In answer to the committee's question, he confirmed that AAA was involved in some discussions relating to the creation of this legislation.

**Sen. Davis** concluded this legislation takes politics out of speed limit control. The ITD Board will consult with the public and private stakeholders as per statute. In answer to the committees question regarding increased speeds and safety for the trucking industry, the Senator stated the trucking industry does not oppose this legislation. Committee concerns were expressed regarding the stopping distance, extra wear and tear on the roadways, and increased accidents with increased speeds.

**ROLL CALL VOTE:** Chairman Palmer requested a roll call vote on **S 1284aa**. Motion carried by a vote of 12 AYE and 5 NAY. Voting in favor of the motion: Rep. Palmer, Shepherd, Wood(35), Wills, Bateman, Henderson, Denney, Gestrin, Gibbs, Hixon, Youngblood, McDonald. Voting in opposition to the motion: Reps. Kauffman, Packer, Ringo, King, and Gannon. Rep. Gibbs will sponsor the bill on the floor.

**S 1286:** Sen. Johnson stated **S 1286** relates to weights for refuse and sanitation trucks. He explained that due to the varying solid waste materials collected, the long distances traveled in the rural areas, and weather conditions the original weight of the truck may fluctuate. He continued to say that the wet loads can cause an otherwise properly loaded vehicle to exceed an axle or gross vehicle weight limit unintentionally. Sen. Johnson concluded this legislation remedies that unintentional situation.

**MOTION:** Rep. Wood(35) made a motion to send **S 1286** to the floor with a **DO PASS** recommendation. Motion carried by voice vote. Rep. Ringo requested that she be recorded as voting **NAY**. Rep. Wood(35) will sponsor the bill on the floor.

Heather Wheeler of Community Transportation Association of Idaho and Gary Segers of Idaho Pedestrian & Bicycle Alliance presented "Transit and Active Transportation in Idaho." Ms. Wheeler stated transit, biking, and walking are a critical piece of Idaho's transportation system, and are often the only means of transportation for many Idahoans.

Gary Segers referred to the term "active transportation" defined as any form of human power. Sidewalks, bike lanes, and multi-use pathways are affordable solutions to help reduce wear and tear on our roadways, while contributing to the health and economic vitality of Idaho communities. Tourist world wide are coming to Idaho for biking opportunity such as Idaho's Route of the Hiawatha and the Trail of the Coeur d'Alene's bike paths, he commented.

Ms. Wheeler explained that most of the funds available for transit, bike, and pedestrian projects in Idaho come from the federal government and the federal sources are facing an extreme shortfall. In 2013, 23 bike and pedestrian projects were selected and awarded funding out of 68 eligible applications for Idaho. The rural areas are clamoring for funding assistance to build networks of sidewalks, bike lanes, and multi-use pathways to connect to neighboring communities.

Mr. Segers commented that Idaho cannot afford to NOT include transit, biking, and walking as a transportation method of getting people where they need to be. A transportation system is not just about moving motor vehicles, it is about moving people from home to school, church, medical appointments, work or shopping, he said. Mr. Segers concluded with active transportation is a low-cost solution to address Idaho's transportation infrastructure needs.

**MOTION:** Rep. Hixon made a motion to approve the minutes of the February 26, 2014, meeting. Motion carried by voice vote.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 3:02 p.m.

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Representative Palmer  
Chair

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Linda Mott  
Secretary



AGENDA  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**  
**1:30 PM or Upon Adjournment**  
**Room EW40**  
**Thursday, March 06, 2014**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">S 1274a</a>	Boating, negligence	Sen. Keough
<a href="#">S 1283a</a>	Rights-of-way, public and private	Seth Grigg, IAC

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Palmer	Rep Denney	Rep Youngblood
Vice Chairman Shepherd	Rep Gestrin	Rep McDonald
Rep Wood(35)	Rep Gibbs	Rep Ringo
Rep Wills	Rep Hixon	Rep King
Rep Bateman	Rep Kauffman	Rep Gannon
Rep Henderson	Rep Packer	

COMMITTEE SECRETARY

Linda Mott  
Room: EW60  
Phone: 332-1146  
email: [htran@house.idaho.gov](mailto:htran@house.idaho.gov)

MINUTES  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**

**DATE:** Thursday, March 06, 2014

**TIME:** 1:30 PM or Upon Adjournment

**PLACE:** Room EW40

**MEMBERS:** Chairman Palmer, Vice Chairman Shepherd, Representative(s) Wood(35), Wills, Bateman, Henderson, Denney, Gestrin, Gibbs, Hixon, Kauffman, Packer, Youngblood, McDonald, Ringo, King, Gannon

**ABSENT/  
EXCUSED:** Rep. Gibbs

**GUESTS:** Brad Clark, American Planning Association

**Chairman Palmer** called the meeting to order at 3:19 p.m.

**S 1274aa:** **Sen. Keough** stated this legislation adds to Idaho Code Chapter 70, Title 67 a new section regarding grossly negligence operation and provides violations and penalties for grossly negligence operation under the Idaho Safe Boating Act. She explained court actions have dismissed cases for grossly negligence for being unconstitutional vague. In answer to the committee's questions, driving a boat under the influence is sited in a separate section of the Code and is a separate violation.

**MOTION:** **Rep. Packer** made a motion to send **S 1274aa** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Eskridge** will sponsor the bill on the floor.

**S 1283aa:** **Seth Griggs** of the Idaho Association of Counties explained this bill is to make technical changes regarding procedures for public entities to use when vacating public rights-of-way that is part of a platted subdivision.

**MOTION:** **Rep. Wood(35)** made a motion to send **S 1283aa** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Wood(35)** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 3:46 p.m.

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Representative Palmer  
Chair

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Linda Mott  
Secretary

AGENDA  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**  
**1:30 PM or Upon Adjournment**  
**Room EW40**  
**Monday, March 10, 2014**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">S 1285aa</a>	Highway district commissioners	Sen. Brackett
<a href="#">S 1303aa</a>	Eminent domain, form delivery	Stuart Davis, IAHD
<a href="#">S 1309aa</a>	Eminent domain	Sen. Winder

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Palmer	Rep Denney	Rep Youngblood
Vice Chairman Shepherd	Rep Gestrin	Rep McDonald
Rep Wood(35)	Rep Gibbs	Rep Ringo
Rep Wills	Rep Hixon	Rep King
Rep Bateman	Rep Kauffman	Rep Gannon
Rep Henderson	Rep Packer	

COMMITTEE SECRETARY

Linda Mott  
Room: EW60  
Phone: 332-1146  
email: [htran@house.idaho.gov](mailto:htran@house.idaho.gov)

MINUTES  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**

**DATE:** Monday, March 10, 2014

**TIME:** 1:30 PM or Upon Adjournment

**PLACE:** Room EW40

**MEMBERS:** Chairman Palmer, Vice Chairman Shepherd, Representative(s) Wood(35), Wills, Bateman, Henderson, Denney, Gestrin, Gibbs, Hixon, Kauffman, Packer, Youngblood, McDonald, Ringo, King, Gannon

**ABSENT/  
EXCUSED:** None

**GUESTS:** Heather A. Cunningham, self; Karen Merrick, ITD; David Lincoln, IAHD/Golden Gate Hwy District; Dan Schaeffer, IAHD/Hillsdale Hwy District; Dave Burgess, Twin Falls Hwy District; Herman Osterkamp, Twin Falls Hwy District; Art Baily, Twin Falls Hwy District; Laura Lantz, IAHD; Stuart Davis, IAHD; Will Hart, Idaho Consumer Owned Utilities; Roger Seiber, Capitol West; Steve Price, ACHD; Raeleen Welton, Rocky Mountain Power

**Chairman Palmer** called the meeting to order at 3:10 p.m.

**S1309aa:** **Sen. Winder** stated the legislation relates to the condemnation process and allows for property owners to be compensated for defense costs prior to a final judgement. He explained property owners put out costs for defense, sometimes even borrowing money and they have the right to reasonable reimbursement of those costs. Under current law the reimbursement would not occur until a judgement has been made. This amends current law to provide a process for the property owners' expenses to be awarded by the court at such time as the project plans are amended prior to judgement.

**MOTION:** **Rep. Wood(35)** made a motion to send **S 1309aa** to the floor with a **DO PASS** recommendation.

**Heather Cunningham**, self, stated she is a property owner that participated in the collaboration and consensus efforts for this legislation, and expressed her support of this bill.

**VOTE ON  
MOTION:** **Motion carried by voice vote. Rep. Wood(35)** will sponsor the bill on the floor.

**S 1285aa:** **Sen. Brackett** stated this bill amends the terms of highway district commissioners. Currently the term of office is two years, this bill increases the term to six years and provides alternating election years for commissioners. He explained by extending the term, the hope is to attract interested and committed individuals to run for these elected positions. With two year terms the learning curve complicates the productivity of the districts, he said. Sen. Brackett has knowledge of instances where individuals ran for the office for self-serving agendas and after they accomplished their agenda, a letter of resignation was submitted midterm. He said this disrupts the districts business. He concluded that staggering election terms will help keep the institutional knowledge on the board while new commissioners go through the learning curve.

**MOTION:** **Rep. Wills** made a motion to send **S 1285aa** to the floor with a **DO PASS** recommendation. **Rep. Kauffman and Rep. Youngblood** invoked Rule 38 stating a possible conflict of interest as they are highway district commissioners but they would be voting on the legislation.

**David Lincoln** of Golden Gate Highway District and president of the Idaho Association of Highway Districts stated his district and IAHD supports this legislation.

**Dan Shaffer**, highway commissioner for Hillsdale Highway District and chairman of LHTAC stated his district and LHTAC supports this legislation.

**VOTE ON  
MOTION:**

**Motion carried by voice vote. Rep. Wills** will sponsor the bill on the floor.

**S1303aa:**

**Stuart Davis** of IAHD explained this legislation simplifies the delivery of the property owners rights under the eminent domain action. Existing law requires that the required advice of rights form needs to be sent certified mail by the condemning authority, he said. Mr. Davis stated allowing the condemning authority the ability to hand delivery the rights form, and obtain the owners signature on a receipt, will reduce expenditures to the department and time of the property owner. The condemning authority will have the option of hand delivery or certified mail.

**MOTION:**

**Rep. Gestrin** made a motion to send **S 1303aa** to the floor with a **DO PASS** recommendation. **Rep. Kauffman and Rep. Youngblood** invoked Rule 38 stating a possible conflict of interest as they are highway district commissioners but they would be voting on the legislation.

**VOTE ON  
MOTION:**

**Motion carried by voice vote. Rep. Gestrin** will sponsor the bill on the floor.

**MOTION:**

**Rep. Wood(35)** made a motion to approve the minutes of the March 4, 2014 meeting. **Motion carried by voice vote.**

**ADJOURN:**

There being no further business to come before the committee, the meeting was adjourned at 3:35 p.m.

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Representative Palmer  
Chair

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Linda Mott  
Secretary

**AMENDED AGENDA #1**  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**  
**1:30 PM or Upon Adjournment**  
**Room EW40**  
**Wednesday, March 12, 2014**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">H 619</a>	Relating to Highway Distribution Account	Sen. Brackett

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Palmer	Rep Denney	Rep Youngblood
Vice Chairman Shepherd	Rep Gestrin	Rep McDonald
Rep Wood(35)	Rep Gibbs	Rep Ringo
Rep Wills	Rep Hixon	Rep King
Rep Bateman	Rep Kauffman	Rep Gannon
Rep Henderson	Rep Packer	

COMMITTEE SECRETARY

Linda Mott  
Room: EW60  
Phone: 332-1146  
email: [htran@house.idaho.gov](mailto:htran@house.idaho.gov)

MINUTES  
**HOUSE TRANSPORTATION & DEFENSE COMMITTEE**

**DATE:** Wednesday, March 12, 2014

**TIME:** 1:30 PM or Upon Adjournment

**PLACE:** Room EW40

**MEMBERS:** Chairman Palmer, Vice Chairman Shepherd, Representative(s) Wood(35), Wills, Bateman, Henderson, Denney, Gestrin, Gibbs, Hixon, Kauffman, Packer, Youngblood, McDonald, Ringo, King, Gannon

**ABSENT/  
EXCUSED:** None

**GUESTS:** Stu Davis, IAHD; Steve Price, ACHD

**Chairman Palmer** called the meeting to order at 2:46 p.m.

**MOTION:** **Rep. Hixon** made a motion to approve the minutes of the March 6 and 10, 2014 meetings. **Motion carried by voice vote.**

**H 619:** **Sen. Brackett** stated this legislation provides a petition process for political subdivisions of the State to ask for assistance for a portion of highway not being maintained by the responsible jurisdiction. This legislation adds section 40-709A. He gave the example of a highway being maintained by a county for the first 28 miles and the next 50 miles is maintained by a highway district. The highway was closed during a winter storm because the county decided not to maintain the first 28 miles, yet the highway district did maintain the next 50 miles of road to the township.

**Sen. Brackett** explained the jurisdiction which is affected by the non-maintained portion of highway would be able to submit a petition for assistance to the Idaho Transportation Department and its Board. Findings of fact must be met as per section 40-709A. The first criteria is the highway or any portion of the highway is the only practical access to a city, town or residential area. If the ITD Board grants the petition during a public noticed hearing and ITD maintains the section in question, the actual cost by ITD will be deducted from the noncompliant jurisdiction's next payment of highway distribution funds by the State Controller, and remitted to ITD for the work performed.

In answer to the Committee's questions, **Sen. Brackett** stated each government entity charged with maintaining roads receives funding from the Highway Distribution Account, which the money comes from the fuel and vehicle taxes paid, no federal funding is involved. An appeals process was not included in this legislation as the hearing would provide opportunity for rebuttal.

**Stuart Davis**, Idaho Association of Highway Districts (IAHD), stated IAHD supports this legislation as it is creating a mechanism when a single road access to a community is involved.

**Steve Price**, General Counsel for Ada County Highway District, the ACHD supports this legislation. In answer to the Committee's question regarding 'historical maintenance' this would be a finding of fact through the hearing process with the ITD Board.

**MOTION:** **Rep. Youngblood** made a motion to send **H 619** to the floor with a **DO PASS** recommendation

**Sen. Brackett** concluded that other sections of Code address when one highway district can detach roads from its system and another highway district can take it over. He stated in this case the monies collected for that portion of roadway would go with the road. He urged the Committee to remember the key is if the road is the only access to a developed area. It is only applicable if it is shown that public health and safety is jeopardized.

**VOTE ON  
MOTION:**

**Motion carried by voice vote. Reps. Shepherd, Wood(35), Denney, Gestrin, Hixon, and McDonald** requested that they be recorded as voting **NAY**. **Rep. Wills** will sponsor the bill on the floor.

**ADJOURN:**

There being no further business to come before the committee, the meeting was adjourned at 4:01 p.m.

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Representative Palmer  
Chair

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Linda Mott  
Secretary